

PTO/SB/31(06-03)

Approved for use through 7/31/2003. OMB 0651-0031

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**Docket Number (Optional)  
**Belersdorf 454.3/ 100718-53****CERTIFICATE OF FACSIMILE TRANSMISSION**I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 23<sup>rd</sup> day of April, 2004.Agata Glinska  
Agata GlinskaIn re Application of  
**Anja Eitrich et al**Application Number  
**08/930,235**Filed  
**February 23, 1998**For: **Cosmetic or Pharmaceutical Microemulsions**Art Unit  
**1712**Examiner  
**Daniel S. Metzmaier**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated December 24, 2003 finally rejecting claims 4-8.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00 ☐

Applicant claims small entity status. See

37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is: \$.

- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263. I have enclosed a duplicate copy of this sheet.
- ☒ A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ attorney or agent of record. Registration \_\_\_\_\_
- ☒ attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) 48,104

April 24, 2004

Date

(212) 808-0700

Telephone Number

Howard C. Lee  
SignatureHoward C. Lee  
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.8. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any carriers on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND PERS OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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